IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

Bail Appl..No. 7878 of 2007(M)

CMP.2589/2007 of J.M.F.C.-II, HARIPAD
CRIME NO.137/07 OF KAYAMKULAM EXCISE RANGE.

.....

PETITIONER/ACCUSED

MURALI, S/O.DAMODARAN,,
THANAPARAMBI, RAMAPURAM MURI,
KEERIKKAD VILLAGE, KARTHIKAPPALLY.

BY ADV. SRI.R.KRISHNA RAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE EXCISE INSPECTOR, KAYAMKULAM EXCISE RANGE,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7878 of 2007

Dated this the 19th day of December, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. On 9/11/07 he was allegedly found to be in possession of 7 litres of arrack. He surrendered on 28/11/07. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has two other cases also under the Abkari Act registered against him earlier. They relate to the possession of 1.5 litres and 900 ml. of arrack on two different earlier occasions.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 26/12/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

Nan/